



PLANNING COMMISSION

Department of Urban Planning & Design P. O. Box 27210 Tucson, Arizona 85726-7210

Approved by Planning Commission on
April 2, 2008, with one correction in
bold.

Date of Meeting: March 5, 2008

The meeting of the City of Tucson Planning Commission was called to order by Catherine Applegate Rex, Chair, on Wednesday, March 5, 2008, at 7:05 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda Street, Tucson, Arizona. Those present and absent were:

1. ROLL CALL

Present:

Eric R. Cheney
Brad Holland, Vice Chair
Joseph Maher, Jr.
Robert Patrick
Daniel R. Patterson
Catherine Applegate Rex, Chair
Sean Sullivan
Daniel J. Williams
Craig Wissler

Member at Large, Ward 2
Member, Ward 6
Member at Large, Ward 6
Member, Mayor's Office
Member, Ward 5
Member at Large, Ward 5
Member at Large, Ward 3
Member, Ward 1
Member, Ward 3

Absent/Excused

Shannon McBride-Olson
James E. Watson

Member, Ward 2
Member, Ward 4

Staff Members Present:

Albert Elias, Urban Planning and Design, Director
Jim Mazzocco, Urban Planning and Design, Planning Administrator
Andrew Singelakis, Transportation Department, Deputy Director
Viola Romero-Wright, Principal Assistant City Attorney
Linus Kafka, Principal Assistant City Attorney
Adam Smith, Urban Planning and Design, Principal Planner
Rebecca Ruopp, Urban Planning and Design, Principal Planner
Ramona Williams, Urban Planning and Design, Secretary
Yolanda Lozano, City Clerk's Office, Recording Secretary

Chair Rex announced Item #3 was postponed to the April meeting and Item #6 would be presented before Item #5.

2. MINUTES FOR APPROVAL: February 6, 2008

It was moved by Commissioner Williams, duly seconded, and passed by a voice vote of 9 to 0 (Commissioners McBride-Olson and Watson absent), to approve the minutes of February 6, 2008, with corrections as follows: Page 1 – add Vice Chair after Brad Holland’s name, strike the word Vice after Catherine Applegate-Rex’s name, strike the word Chair after Daniel J. Williams’ name; Page 8 – fourth bullet, third line, first word should be eligible; Page 3 – Item 6, first sentence should be Chair Rex.

3. RECOGNIZING SERVICE BY FORMER PLANNING COMMISSIONERS HAMED AND EVANS

Chair Rex announced this item was being postponed to the April 2, 2008, meeting.

4. RIO NUEVO TRANSPORTATION ISSUES (INFORMATION ITEM)

Andrew Singelakis, Deputy Director of Transportation gave a detailed Power Point presentation and update on the Rio Nuevo Transportation issues. Items presented were as follows:

Overview:

- Current and recently completed projects
 - a. I-10 Widening
 - b. Oracle/Drachman/Main Intersection
 - c. Speedway/Main Intersection
 - d. Euclid Avenue/Park Avenue Bicycle-Pedestrian Bridge
 - e. El Paso and Southwestern Greenway
 - f. Fourth Avenue Underpass
 - g. 5 Points Intersection
 - h. Grande Traffic Circle
 - i. Cushing Street Bridge
- Corridor Planning/Land Use
 - a. RTA projects, Urban Settings/Established Neighborhoods, Extensive Public Process, Context Sensitive Solutions, 3 Project Phases (alignment Selection, roadway design, land use plan)
 - b. Downtown Links (2011-2014, 4 lane roadway connecting Broadway/ Barraza-Aviation Parkway to I-10, in planning/design, bicycle and pedestrian access, new railroad underpass to 6th Street, Tucson Arroyo, \$75 million/RTA)
 - c. Downtown Links Urban Design Plan
 - d. Modern Streetcar

- e. Transit Oriented Development (4th Avenue opportunity sites, University opportunity sites, Broadway Boulevard – Euclid to Country Club, 22nd Street – I-10 to Kino, Kino to Tucson Boulevard)
- Parking
 - a. Downtown parking in 2004
 - b. Establishing “5-Minute Walking Radii”
 - c. Garages proposed within next three years

Discussion by Commission members included:

- Comprehensive Transportation Study
- Traffic loading of arterial system
- Land use issues with various planning
- 4th Avenue projects, Aviation Highway, Dunbar Springs Neighborhood
- 22nd Street Widening Proposal
- State DOT funding for projects

6. **MIRAMONTE NEIGHBORHOOD PLAN (STUDY SESSION) (Item taken out of order)**

Rebecca Ruopp, Urban Planning and Development, Principal Planner, stated the *Plan* presented to Planning Commission was for Study Session. The *Plan* was a result of a two-year effort by the Miramonte Neighborhood involving residents, property owners, and other stakeholders with interest in the neighborhood. In January, notification was sent to interested parties regarding the “draft” *Plan* and meeting. Approximately thirty people signed in. Others requested the *Plan* electronically. Comments were, for the most, part editorial issues such as the wrong street name in the caption and nothing of substance. In February, the Miramonte Neighborhood Plan Citizen Steering Committee met to review the comments and make final decisions and concurred that the *Plan* was ready to move to the next step. Some of the items discussed were:

Background Information:

- Twenty-eight Neighborhood Plans and seventeen Area Plans currently in effect.
- The Neighborhood Plans were more detailed and refined than Area Plans, which incorporated multiple neighborhoods.
- Both types of plans were advisory documents used by the City primarily to inform rezoning reviews.
- This *Plan* was one of two neighborhood plans that the Department of Urban Planning and Design (UPD) selected to undertake with the goal of creating a model for future neighborhood plans.

Miramonte Neighborhood Plan Overview:

- Located in central Tucson and bounded on the north by Speedway Boulevard, on the south by 5th Street, on the east by Alvernon Way, and on the west by

Country Club Road.

- Neighborhood currently included in the Alvernon-Broadway Area Plan.
- UPD and the University of Arizona, College of Architecture and Landscape Architecture's Drachman Institute, managed the preparation of the Miramonte Neighborhood Plan.
- Work included public meetings with the general neighborhood and meetings with the Steering Committee, design workshops, one-on-one discussions, questionnaires, surveys and an interactive process amongst Miramonte neighbors, stakeholders and planners.

Key Elements:

- Key elements of the plan include a vision statement; an explanation of the use of the Neighborhood Plan; and six goals evolved from the vision statement that address:
 1. Neighborhood Infill Compatibility
 2. Neighborhood Preservation & Rehabilitation
 3. Neighborhood Transitions
 4. Neighborhood Infrastructure Enhancement
 5. Neighborhood Safety and Property Maintenance
 6. Neighborhood Involvement Opportunities

William Harlow, the Chair of the Citizen Steering Committee and Ruth Beeker, member of the Committee, spoke regarding the *Plan* and their involvement and support. They said they wanted to see the Planning Commission pass the *Plan* on to the Mayor and Council.

It was moved by Commissioner Patrick, duly seconded, and passed by a voice vote of 9 to 0 (Commissioners McBride-Olson and Watson absent), to close the Study Session and set the item for Public Hearing at the April meeting.

Viola Romero-Wright, Principal Assistant City Attorney, stated she wanted to clarify two legal issues in the document. She said under strategies of the neighborhood plan, it referred to the Flexible Lot Development (FLD). She said the FLD had not yet been approved or adopted. She said her recommendation was that the language be changed back to the Residential Cluster Project (RCP) and that language could be worked on to accommodate the FLD.

Ms. Romero-Wright stated her second concern was in strategy 1.2.2 which discussed conditions applicable to the Board of Adjustment or a legally binding contract to be included with the Variance Application. She said her recommendation was that the statement be deleted. She explained a variance was a request pursued by property owners and was a right under State law and the LUC. The Board of Adjustment determines the conditions applicable to the variance. To make a written condition enforceable was up to the Board of Adjustment. To have a City approved plan that was dependent on a contract or a contract being submitted with an application was troubling.

5. NEIGHBORHOOD PRESERVATION ZONE (NPZ) LUC AMENDMENT (CONTINUED STUDY SESSION)

Adam Smith, Urban Planning and Development, Principal Planner, stated at February's meeting, he gave a detailed presentation and therefore was going to touch on the highlights, the key components of the ordinance, and comments made by the Commission and the NPZ Committee Members. He pointed out how the draft had changed from the previous draft reviewed. He said the Mayor and Council directed staff, on October 23, 2007, to revise the draft NPZ to limit the scope to historically designated neighborhoods and to prepare neighborhood design manuals for the Feldman's and Jefferson Park Neighborhoods. Neighborhoods eligible for the overlay are neighborhoods that have the National Register historic status or are eligible for National Register and have completed a nomination or eligibility assessment application. The Mayor and Council must initiate a neighborhood for the NPZ process.

Mr. Smith stated the next step after initiation was to prepare a neighborhood design manual. Staff would work with neighborhoods in preparing the manual through a staff facilitated workshop process. The neighborhood manual would serve as conditions of the eventual rezoning that includes the neighborhood in the NPZ Overlay. The design manual must be comprised of the following three components: 1) defining design characteristics, 2) privacy mitigation standards, and 3) a neighborhood district map. A fourth component, which was optional, was dimensional standards that differ from the development criteria in the LUC. These requirements are advisory unless otherwise adopted by the Mayor and Council as mandatory requirements.

Mr. Smith stated once the neighborhood design manual was completed a rezoning of the neighborhood was initiated and processed using the typical rezoning process. Upon the effective date of the rezoning, new residences and significant additions to existing residences as seen from the street must be compatible with the contributing properties and the surrounding areas. The proposed ordinance did not prevent construction of a modern building, nor did it require that new residences look identical to the surrounding residences; however, what it did require was that applicable development was visually consistent with the design characteristics of the contributing properties.

Mr. Smith stated, to assist the City in determining when and if a proposed project was compatible, the City would hire one or more design professionals as needed to work with applicants and review applications for building permits. The design professionals must be registered architects with experience in historic preservation. He said in response to stakeholders concerns over the additional time the process adds to the review, the current draft established a ten day period in which the design professional must forward a recommendation to the planning director for final consideration.

Mr. Smith said there were two primary comments made last month by the Planning Commission. One was the change in direction the plan was taking as opposed to when the plan was first reviewed a year ago. He said there were some feelings that the NPZ Overlay should not be limited to only those neighborhoods that included a National Register and that it should be made available to all neighborhoods. He said a comment made from the NPZ Committee was that this may prolong development and

review time, add expense to the project. He said depending on who you talk to, the dimensional requirements should or should not be mandatory. He said another comment by the Development Committee was that the NPZ lacked incentives. His response was that there was a possibility in the design manual for incentives of sorts if the neighborhood could agree to a less restrictive development standard. He said there was still some apprehension as to what compatibility meant. Staff's response was, because the City was hiring a design professional who did this type of work everyday and worked with the clients and neighborhoods, they were looking at surrounding areas and trying to find ways to trying to make it compatible.

Mr. Smith stated the timeline for the NPZ was:

- Review by Planning Commission, February
- Set item for Public Hearing in April 2008
- Mayor and Council, May or June 2008
- Begin Design Manual Workshop Process with Feldman's, April or May 2008
- Jefferson Park will follow after the beginning of Feldman's, in four to five months.

Discussion was held on the following topics:

- Section 2.8.11.7, B, 1d – change the wording in the last sentence from that to whether.
- Difference between the draft now as opposed to a couple months ago or a year ago (applicability – who can proceed and NPZ, differences in ways it can be initiated, and design manual requirements).
- Recommendation letter to Mayor and Council – include exactly what the Commission wants in regards to who is eligible.
- Possible mailing to neighborhood associations giving notification that this item was being sent to the Mayor and Council for approval.
- Recommendation to the Mayor and Council to include language on how other neighborhoods could benefit from the NPZ.

Jim Mazzocco, Urban Planning and Design, Planning Administrator, gave a brief history regarding the ordinance. He said, when it went to the Mayor and Council, it was an expanded concept where it could apply to just about any neighborhood. He said it was the Mayor and Council who decided to reduce it to a specific area and staff started calling the pilot overlay, a two mile radius around the University. The one item the historic neighborhoods had that others did not was a large amount of analysis already done in them that described what the contributing properties were and how someone could build in relationship to those. A neighborhood that did not have the analysis, at least in the last draft, was asking the neighborhoods to put that together, which was difficult to do. He said the business community came out extremely strong stating it sounded too much like, "it was just about not in my back yard," and that it could apply to a new subdivision that was half built, and the neighbors could apply for the overlay to the un-built part of the subdivision and say no two-story homes would be allowed.

It was moved by Commissioner Patrick, duly seconded, and passed by a voice vote of 9 to 0 (Commissioners McBride-Olson and Watson absent), to close the Study Session and set the item for Public Hearing at the April meeting.

8. OTHER BUSINESS

a. Mayor and Council Update

Albert Elias, Urban Planning and Design, Director, stated there were two items going to the Mayor and Council.

1. Planned Community District (PCD) Land Use Code Amendment was approved by the Mayor and Council on February 26, 2008.
2. Santa Cruz Area Plan Amendment for commercial land use along Silverbell was set for Public Hearing at the Mayor and Council meeting on March 25, 2008.

b. Other Planning Commission Items (Future agenda items for discussion/assignments)

1. Possible presentation by the IT Department on creating a ListServ for notification purposes.
2. Infill Subcommittee update on the minor subdivision process.
3. Update on schedule/framework on LUC as it relates to the Southlands.
4. Training session on Open Meeting Law, Powers, Duties, Responsibilities and Procedures of the Planning Commission.

9. CALL TO THE AUDIENCE

Michael Toney spoke regarding the water situation with Lake Mead and Lake Powell.

10. ADJOURNMENT: 8:47 p.m.